

**MINUTES OF THE  
CITY OF GREENSBORO  
MINIMUM HOUSING STANDARDS COMMISSION  
REGULAR MEETING  
NOVEMBER 13, 2014**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission was held on Tuesday, November 13, 2014 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:30 p.m. The following members were present: Justin Outling, Chair; Ellen Sheridan; Kimberly Moore-Dudley; Tyler Quinn; Robert Kollar; and Horace Sturdivant. Staff present included: Elizabeth Benton, Cheryl Lilly, Gloria Gray, Barbara Harris, Mark Wayman, and Inspectors Don Sheffield, Roy McDougal, Donald Foster, and Rich Stovall. Also present was Terri Jones, Attorney for the Commission, and Mary Lynn Anderson, City Attorney's Office.

**1. SWEARING IN OF CITY STAFF TO TESTIFY:**

City staff was sworn as to their testimony in the following matters.

**2. SWEARING IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:**

Property owners and citizens were sworn as to their testimony in the following matters.

**3. APPROVAL OF MINUTES FROM OCTOBER 14, 2014 MEETING:**

Ms. Moore-Dudley moved approval of the October 14, 2014 meeting minutes as written, seconded by Mr. Kollar. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Sheridan, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

**4. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:**

Compliance Coordinator Benton requested that Item 15, 910 Highland Avenue, be withdrawn from the agenda.

Ms. Moore-Dudley moved to remove Item 15, 910 Highland Avenue, from the agenda, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Sheridan, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

***CONTINUED CASES:***

- 5. 4433 Anderson Street** (Parcel #0056432) Ronald E. Miller, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from September 9, 2014 Commission hearing. **(CONTINUED UNTIL JANUARY 13, 2015 MEETING)**

Inspector Sheffield stated that the owner has a building permit but there have been no inspections.

Ronald Miller, 4532 Anderson Street, stated that since the last meeting he has removed the vinyl siding from the east side of house, one window has been put in and the other window has been framed, and he has purchased the plywood. He is making progress on repairs but he has to work on the house as finances allow.

Inspector Stovall felt that the owner was making progress. He noted the repair of one window and some flooring has been nailed down but there is still quite a bit of work remaining. The property is secure.

When asked about a timeline for the completion of repairs, Mr. Miller reiterated that he is working on the house as his finances allow and he asked the Commission to keep working with him. He indicated that he is working every week on repairs after he gets paid.

Ms. Sheridan moved to continue the matter until the January 13, 2015 meeting, seconded by Ms. Moore-Dudley. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Sheridan, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

Chair Outling asked Mr. Miller to have a timeline of estimated completion at the next meeting.

6. **1022 Portland Street** (Parcel #0008898) Karen and John Veal, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the September 9, 2014 meeting. **(CONTINUED UNTIL FEBRUARY 10, 2015 MEETING)**

John Veal, 1203 Langley Terrace, Trinity, North Carolina, described work that has been completed. He estimated his timeline for completion to be six to eight months. He is working on the exterior first and then he will move on to the interior. He noted that a lot of the violations cannot be cleared until the drywall and insulation have been installed.

Inspector Sheffield stated that a licensed contractor pulled the permit. An electrical rough has been passed and the plumbing has been roughed.

Ms. Moore-Dudley moved to continue the matter until the February 10, 2015 meeting to assess progress being made, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Sheridan, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

#### **NEW CASES:**

7. **1013 Union Street** (Parcel 0005897) Capital Facilities Foundation, Inc., Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the date of initial inspection was April 17, 2013. The date of the hearing was August 19, 2014 and an Order to Repair was issued on August 21, 2014. The City did not have to secure the property.

Counsel Jones asked Compliance Coordinator Benton if the video that was being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes dwelling requires a 3 wire, 60 Amp service; cracked or missing electrical outlet and switchplate covers; electrical equipment needs to be properly installed and maintained; exposed wiring at light fixture; power not on at time of previous inspection; heat—gas/electric not on at time of inspection; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; windows need to be weathertight; ventilation system required in bathroom as a window is not provided; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls are not weatherproof; exterior walls have loose or rotted material; flashing required around chimney; foundation wall has holes or cracks; foundation wall ventilation not maintained or missing; property needs to be graded to prevent accumulation of standing water; roof drains, gutters and downspouts in disrepair; roof leaks; deck, porch and/or patio flooring rotten or in disrepair.

Compliance Coordinator Benton stated that Capital Facilities notified her this morning that they would not be in attendance today. This property is part of their next phase of expansion and their plan is to make this and other houses available to anyone next spring that can move them. The houses that are not moved will be slated for demolition toward the end of next year.

Chair Outling stated that he serves on the Board of Visitors of UNC-Greensboro and has agreed to serve as an advocate on the University's behalf.

Chair Outling moved to recuse himself from this matter, seconded by Ms. Moore-Dudley. The Commission voted unanimously in favor of the motion.

Acting Chair Sheridan asked why Capital Facilities would choose to wait until spring to make the houses available. They know that they do not want these houses and she questioned why Capital Facilities would allow them to sit through the winter if their intent is to make them available to be moved. Compliance Coordinator Benton stated her opinion that it was probably part of a larger construction plan for all the houses. At the request of Acting Chair Sheridan, Compliance Coordinator Benton indicated she would be glad to ask Capital Facilities that question. She said that they have expressed their desire to do whatever the Commission wishes for them to do and they are very cooperative in spirit. They are maintaining the property and keeping it secure.

Ms. Moore-Dudley questioned why Capital Facilities was waiting so long to make the properties available.

Acting Chair Sheridan felt that the entire group of properties should be looked at as a whole rather than individually. Compliance Coordinator Benton explained that this was the only active compliance case before the Commission and therefore, this is the only case that can be considered at this time.

Ms. Moore-Dudley moved to continue the matter until the December, 2014 meeting for more information.

Mr. Quinn questioned what information could be made available at the next meeting. Acting Chair Sheridan felt that it should be determined why Capital Facilities is waiting until spring to offer the property for moving. Ms. Moore-Dudley stated that if they are going to be marketing the property in the spring, they will probably be asking for as much time as possible to advertise the property.

Mr. Sturdivant commented that in light of this particular property and the complaints coming from the neighborhood, it might be advisable to uphold the Inspector.

Ms. Moore-Dudley withdrew her motion for a continuance.

Mr. Quinn moved to uphold the Inspector, seconded by Ms. Moore-Dudley. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Sheridan, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

Acting Chair Sheridan stated that the property involved in this matter is located at **1013 Union Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The properties in question have more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structures are dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**8. 823 Highland Avenue (Parcel #0005945) Bulent Bediz, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal.  
(CONTINUED UNTIL DECEMBER, 2014 MEETING)**

Compliance Coordinator Benton stated that the date of initial inspection was January 3, 2014. The date of the hearing was August 12, 2014 and an Order to Repair was issued on August 22, 2014. The City did have to have the property secured and the owner secured it. There are college students nearby where the property is located. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include gas appliances need adequate clearance and space for ventilation; heat-gas/electric not on at time of inspection; heating system not maintaining 68 degrees in habitable rooms, bathrooms; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; water heater not properly installed or maintained; all systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire shall be maintained in an operable condition; kitchens shall contain enough space to store, prepare, serve and dispose of foods in a sanitary manner; unclean and unsanitary floors, ceilings and/or walls; interior walls have peeling, chipping or flaking paint that must be repaired; walls have cracks, holes or loose plaster; doors need to be weathertight; bathroom and bedrooms must have a door and interior lockset; screens required on exterior doors; every window shall open and close as manufactured; windows need glazing; windows need to be weathertight.

Inspector Sheffield stated that there are no permits for this property.

Inspector Foster indicated that no additional repairs had been made as of November 6, 2014 when he visited the property to take the video being shown to members. It was noted that the property has been boarded up and made secure.

Bulent Bediz, 808 Lexington Avenue, requested that Chair Outling recuse himself from this matter.

Chair Outling stated that he was not going to recuse himself in this matter. Chair Outling asked the owner for the basis of his request so that he would be able to make an informed decision on whether or not to recuse himself.

Mr. Bediz stated that Chair Outling just recused himself regarding 1013 Union Street because of his relationship with UNC-Greensboro. Mr. Bediz owns 35 properties in Glenwood and all the properties that the Commission has passed a demolition order on are properties that he owns. All of the properties are adjacent to UNC-Greensboro.

Besides the proximity of this property and properties owned by UNC-Greensboro, Chair Outling asked Mr. Bediz if there was any other basis that he believes he should be recused.

Mr. Bediz said that he has appeared before the Commission several times. He stated his opinion that Chair Outling has been belligerent and aggressive in addition to interrupting him on numerous occasions. He was unsure why that was happening until he became aware that Chair Outling is in a relationship with UNC-Greensboro.

Chair Outling indicated his choice not to recuse himself. He stated that he would entertain a motion from any of the Commission members moving to recuse him from this matter. No motions for recusal were made by the Commission.

Chair Outling asked Mr. Bediz for his plan or timeline for bringing this property into compliance. Mr. Bediz indicated that the property is now in limbo with his bank and he is not sure how this will be resolved. He cannot say anything until the issue with the bank has been resolved.

Ms. Sheridan noted a problem with the video being shown and felt that until the video issue was fixed, she did not have sufficient information to make any kind of decision.

Mr. Bediz confirmed for Mr. Sturdivant that the property is adjacent to UNC-Greensboro and it has been secured. He asked Mr. Bediz specifically what he would like the Minimum Housing Standards Commission to do on his behalf. Mr. Bediz stated that he has been in communication with several Commission members and he would like for a representative group to meet him on the site so he can discuss not just this property but the other properties as well. He was told the members would be happy to do that but it must be arranged through Barbara Harris who has agreed to make the arrangement if requested by the Commission.

Until this is resolved, Mr. Sturdivant asked Mr. Bediz what he would like the Commission to do. He asked that arrangements be made to meet members on site and take the matter up again at the next meeting. Mr. Bediz would like members to be aware of the bigger picture that is involved before they entertain details and information.

Ms. Moore-Dudley commented that this does not just pertain to Mr. Bediz's case but something that is happening around the UNC-Greensboro campus. There are property owners around the campus who are waiting for UNC-Greensboro to take certain actions and in the meantime, they are in limbo with the Minimum Housing Standards Commission. The University often does not communicate well with property owners. She felt that members should exhibit some understanding for anyone from that neighborhood who comes before the Commission with a property who is waiting on UNC-Greensboro to make a decision about development. There are a lot of owners waiting for properties to be purchased by developers who are also working on the new campus. In regard to this particular property, she would like to wait until the video is available for a motion to be made.

Mr. Kollar pointed out that this property is adjacent to the ones at UNC-Greensboro and he questioned why there would be an issue in dealing with this property.

Ms. Moore-Dudley explained that there are development projects being done near the school that will effect these properties.

Mr. Quinn stated that the issues raised by Ms. Moore-Dudley do not change the fact that the houses still need to be in compliance regardless of what is going on with other parcels.

Mr. Kollar asked Mr. Bediz to explain his earlier comment relating to being in limbo with the bank. Mr. Bediz stated that this is another one of the five properties that had incorrectly signed mortgage papers. This is a property owned by Bank of America who has made a settlement with the federal government to pay for fraudulent practices. This is one of those properties and he is uncertain where it stands. He received a notice on another property owned by Bank of America that is in his son's name and they are offering a settlement substantially lower than what is owed on it. He is trying to follow this situation but he has no definite answers as to what will happen. The bank has allowed him to stop making payments on this property until a resolution has been reached. The property is just sitting there and he does not know what to do.

Chair Outling was advised that the video would be back up and running in approximately ten minutes.

Ms. Moore-Dudley moved to recess for ten minutes, seconded by Mr. Quinn. The Commission voted unanimously in favor of the motion. A recess was taken at 2:10 p.m.

Chair Outling called the meeting back to order at 2:25 p.m. and the video of the property was shown.

Mr. Bediz and certain Commissioners made reference to ex parte communications. Chair Outling asked those Commissioners to expand on the nature of the communications and what was discussed.

Ms. Moore-Dudley communicated by text with Mr. Bediz and said that she would comply with anything that was decided at the meeting and she would be open to whatever the Commission's decision was.

Ms. Sheridan said that she told Mr. Bediz that he should call the City and anything that he needed to do had to be arranged through Counsel Jones and Barbara Harris. She informed him that Commissioners were not allowed to have any communication about the case outside of the hearing.

Mr. Bediz had no additional comments with regard to his ex parte communication with Ms. Sheridan and Ms. Moore-Dudley. He confirmed comments that they made regarding the conversations.

Mr. Bediz stated that in 2004 when the demolition orders were passed the first time, Commissioners came on site to see exactly what was happening and that was very helpful because the situation was complex.

Mr. Kollar asked Mr. Bediz what he felt could be gained from an onsite visit regarding the property itself, not events happening in the area.

Mr. Bediz said that UNC-Greensboro coming into Glenwood is a very serious move. It effects the neighborhood and property owners. There are complex issues involved and unless members see the neighborhood and know the background, it would be very difficult to understand what is going on. He is in process of reaching an agreement with the City to completely rebuild these properties. The MOU (Memorandum of Understanding) signed by the Neighborhood Association with the University alluded to the problem that exists. The University has not made its intentions clear and owners in the neighborhood do not know what to do with their properties.

Chair Outling stated that he understood Mr. Bediz's concern and frustration from a business perspective; however, minimum housing standards apply equally to all homes across the City.

Ms. Moore-Dudley felt it would be advantageous, particularly for newer members, to go to the site where these properties are located. She acknowledged that properties in the area look bad but the reason owners are not doing anything is because they are not sure if the properties will even be there next year. She noted that the violations on the list mainly pertain to the fact there are no utilities at the property. There are no exterior issues with the property in regard to maintenance and the property is secure.

Mr. Sturdivant explained to Mr. Bediz that what the City is asking him to do is the bare minimum. He can always go back and improve the property later on.

Mr. Bediz stated that he cannot just do the minimum work and then come back and tear out everything he has done to begin over again.

Ms. Moore-Dudley moved to continue this matter until the December, 2014 to give the owner an opportunity to meet with the City, seconded by Ms. Sheridan. The Commission voted 3-3 and the motion failed. (Ayes: Moore-Dudley, Sheridan, Kollar. Nays: Outling, Sturdivant, Quinn.)

Chair Outling commented that the Commission should be very careful about trying to make suggestions for business decisions for individual property owners. He reiterated that minimum housing standards apply equally across the City to all property owners. He pointed out that it is a rare case when a property owner does not have an economic justification for having not made repairs.

Ms. Moore-Dudley noted that the owner has a meeting set up with the City and she felt that the process should be allowed to continue.

Mr. Quinn commented that this scenario is similar to cases in the past where the Inspector has been upheld. The property owner has not expressed any intention to bring the property into compliance.

Chair Outling noted this property has been out of compliance for nearly a year and to the extent there is an effort to make plans with the City to evade a possible adverse decision, a year is a reasonable time to cure the property.

Ms. Moore-Dudley stated that most cases that come before the Commission have been out of compliance for a year. She reminded members that this is a new case and rarely has the Commission sent a new case for demolition unless there was no one present to speak. She felt that not enough evidence was present at this point to make a decision on the fate of the subject property.

Chair Outling disagreed with Ms. Moore-Dudley's assessment of how the Commission treats new cases. Further, there is no timeline and there has been no evidence or statement as to the owner's intent to bring the property into compliance.

Mr. Sturdivant moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 3-3 and the motion failed. (Ayes: Outling, Sturdivant, Quinn. Nays: Moore-Dudley, Sheridan, Kollar.)

Barbara Harris, City of Greensboro, confirmed that Mr. Bediz has a meeting scheduled with the City Manager on November 17, 2014 regarding the property located at 816 Lexington Avenue. Mr. Bediz has been invited to bring a proposal regarding 816 Lexington Avenue to the City Manager's office for consideration.

Responding to a question from Chair Outling, Compliance Coordinator Benton stated that she would like to see every house saved that can be saved and repaired because it stabilizes neighborhoods. She acknowledged that there are a lot of properties throughout Glenwood that need to be repaired and saved. Action and intent are needed in this matter. Ms. Harris stated that staff would not object to the Commission continuing this case for 30 days while Mr. Bediz's proposal is being considered by the City Manager to determine if the proposal might have an impact on other properties he owns. She clarified for Mr. Sturdivant that this property is not the subject of the scheduled meeting; however, if Mr. Bediz is successful with his proposal for 816 Lexington Avenue it could have a positive impact on other properties that he owns.

Ms. Sheridan moved to continue the case until the December, 2014 meeting, seconded by Ms. Moore-Dudley. The Commission voted 4-2 in favor of the motion. (Ayes: Moore-Dudley, Sheridan, Sturdivant, Kollar. Nays: Outling, Quinn.)

Ms. Harris asked that Mr. Bediz secure the back porch of the property as it appears someone is sleeping there. Mr. Bediz stated that the property was broken into and he has already secured it.

Members noted that Mr. Bediz's earlier request to meet with Commissioners at the property must be arranged through Ms. Harris.

For the record, Counsel Jones advised members that if they meet with Mr. Bediz at the site, any conversation with him will constitute an ex parte communication which must be disclosed. Because this is a quasi-judicial hearing, the Commission's decision needs to be based on the evidence presented at the hearing. In addition, four or more members meeting with Mr. Bediz would constitute a public meeting of which notice and other procedural matters must be complied with. Members have a right to view the property but any conversation about the property must be made on the record in the hearing, under affirmation and subject to public notification.

**9. 2402 Brye Court** (Parcel #0029675) Annie H. Williamson, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.  
**(CONTINUED UNTIL JANUARY 13, 2015 MEETING)**

Compliance Coordinator Benton stated that the property was initially inspected on June 27, 2013. The date of the hearing was July 29, 2013 and the Order was issued on the same day. The City did not have to secure the property. There are children in the area where the property is located and a school is located nearby. There is not a history of police complaints.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes every window shall open and close as manufactured; windows need to be weathertight; exterior wood surfaces need to be maintained by painting or other protective coating; roof drains, gutters and downspouts in disrepair; missing and inoperable smoke detectors; electrical equipment needs to be properly installed and maintained; GFCI outlets are required in each bathroom; interior handrails are loose, damaged or improperly maintained; unclean/unsanitary floors, ceilings, and walls.

Annie Williamson was present to speak on 2402 Brye Court. She indicated that the property has fire damage and she listed the repairs that have been made. The kitchen has almost been completed with the exception of some minor painting. New ceiling, insulation, cabinets, kitchen appliances, and ceiling lighting have been installed. She has completed most repairs with the exception of gutters and windows. She asked for additional time to complete the exterior of the property as most of the interior has already been repaired. She has a meeting scheduled with a new contractor so that she can complete the work.

Ms. Sheridan moved to continue the case until the January 13, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling; Quinn; Kollar; Moore-Dudley; Sheridan; Sturdivant. Nays: None.)

**10. 702 Memphis Street** (Parcel #0029375) Barry Alexander Poteat, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.  
**(CONTINUED UNTIL FEBRUARY 10, 2015 MEETING)**

Compliance Coordinator Benton stated that the property was initially inspected on March 13, 2014. The date of the hearing was April 8, 2014 and the Order was issued on April 29, 2014. The City did not have to secure the property. There are children in the area where the property is located and there has not been a history of police complaints.

Council Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 7, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include unclean or unsanitary floors, ceilings and/or walls; walls have cracked or loose plaster, decayed wood or other defective material that must be corrected, kitchen cabinets/hole in bathroom closet door/bedroom door has hole in it/ check under kitchen sink for defective material; exterior wood surfaces need to be maintained by painting or other protective coating; foundation wall has holes or cracks; property needs to be graded to prevent



accumulation of standing water; windows need to be weathertight; exterior handrails are loose, damaged, or improperly maintained; all exterior property and premises shall be maintained in a clean and sanitary condition; missing smoke detectors; heat—gas/electric not on at time of inspection; water heater not properly installed or maintained; missing smoke detector, missing carbon monoxide detector.

Barry Alexander Poteat, 2111 Rosetta Street, has been in touch with a contractor who has indicated the repairs can be completed within four to five months based on his ability to pay for the project. He said that the work is approximately 75-80 percent complete. The property is vacant.

Mr. Kollar moved to continue the case until the May, 2015 meeting. There was no second to the motion and the motion failed.

Ms. Sheridan moved to continue the case until the February 10, 2015 meeting, seconded by Mr. Quinn. The Commission voted 5-1 in favor of the motion. (Ayes: Outling, Quinn, Moore-Dudley, Sheridan, Sturdivant. Nays: Kollar.)

**11. 1316 Town Street (Parcel #0018190) Emanuel Agapion, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.  
(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the property was initially inspected on March 26, 2014. The date of the hearing was September 9, 2014 and the Order was issued on September 17, 2014. The City did have to secure the property. There are children in the area where the property is located and there has not been a history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 7, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked or missing switchplate cover; electrical equipment needs to be properly installed and maintained, electrical panel box damage; exposed wiring at light fixture; habitable spaces shall contain two separate and remote outlets; power not on at time of inspection; unsafe electrical wiring; missing and inoperable smoke detectors; heat—gas/electric not on at time of inspection; plumbing facilities must be maintained in safe, sanitary and functional condition; water not on at time of inspection; unclean and unsanitary floors ceilings and/or walls; rotten flooring must be repaired; loose floor covering must be repaired or replaced; roof not properly anchored and leaks; structural members not able to support nominal load; ceiling contains holes, loose material and/or in disrepair; exterior doors need to be weathertight; screens required on windows; every window shall open and close as manufactured; exterior walls have loose or rotted material; property needs to be graded to prevent accumulation of standing water; all exterior property shall be maintained free from weeds/plant growth in excess of 12 inches.

There was no one present to speak on the property. Staff indicated that they had not heard from any property representatives.

Mr. Sturdivant moved to uphold the Inspector, seconded by Ms. Moore-Dudley. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sheridan, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located at **1316 Town Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The

property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**12. 1109 Bellevue Street** (Parcel #0003282) Jerry C. McNeil, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the property was initially inspected on January 9, 2014. The date of the hearing was August 1, 2014 and the Order was issued on August 18, 2014. The City did have to secure the property. There are children in the area where the property is located and there has been a history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exposed wiring at light fixture; open ground outlets; missing smoke detectors; ceiling contains holes, loose material; doors are difficult to operate in kitchen area; doors need to be weathertight; bedrooms must have a door and interior lock; foundation walls have holes or cracks; handrails are loose, damaged or improperly maintained; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected.

There was no one present to speak on the property.

Compliance Coordinator Benton stated that the owner of the property is currently incarcerated. The owner's caseworker contacted staff last week expressing his regret that he could not attend the meeting. He requested a continuance until January as he is scheduled for release at the end of December, 2014.

Officer Roberts and Officer Douglas Campbell, 100 Police Plaza, informed members that over the past three years there have been 75 service complaints just through GPD (Greensboro Police Department) alone at this address ranging from prostitution to narcotics. Three search warrants were performed over the last year in reference to narcotics. The officers asked for the Commission's help in this matter.

Inspector Sheffield stated that a building permit was issued in 2010 and there have never been any inspections on the permit.

Mr. Sturdivant commented that although this is a new case, it is a public nuisance as well. He felt immediate action should be taken on this property for the neighborhood as illegal activities are occurring at the property.

Mr. Quinn moved to uphold the Inspector, seconded by Mr. Kollar. The Commission voted 5-1 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: Sheridan.)

Chair Outling stated that the property involved in this matter is located at **1109 Bellevue Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the

law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

- 13. 503 Craig Street** (Parcel #0008308) Heirs of John W. McDonald, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from 12/10/13 meeting.  
**(CONTINUED UNTIL JANUARY 13, 2015 MEETING)**

Compliance Coordinator Benton stated that the property was initially inspected on February 27, 2012. The date of the hearing was July 12, 2013 and the Order was issued on July 17, 2013. The City did have to secure the property. There are children in the area where the property is located and there is a school located nearby. There has been no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include power not on at time of initial inspection; missing smoke detectors; utilities for heat- gas or electric, were not on at time of inspection; Plumbing facilities need to be maintained in a safe, sanitary, and functional condition; water was not on at time of initial inspection; unsanitary floors, ceilings and/or walls; rotten flooring must be repaired; loose floor covering must be repaired or replaced; structural members of roof not able to support their nominal load; ceilings contain holes, loose material, and/or in disrepair; exterior doors need to be weathertight; windows do not open and close as manufactured; broken windows need glazing; exterior wood surfaces need to be maintained with paint or other coating; exterior walls have loose or rotted material; property needs to be graded to prevent accumulation of standing water; gutters and downspouts in disrepair.

Diane Moore, 2913 Brandlewood Drive; Jeanette McDonald Young, 401 Craig Street; and Verona Whiteside are heirs of the property. They indicated that the roof has been repaired. There has been extensive water damage. The property was broken into prior to the property being boarded up. Ms. Moore stated her intent to repair the property which was her mother's home. They have contacted the City for help with the funding through one of their programs.

Inspector Sheffield stated that no permits have been pulled. It was noted that the structural members supporting the roof have been repaired although it is not reflected in the list of violations.

Ms. Moore-Dudley moved to continue the case until the January 13, 2015 meeting, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Quinn, Sturdivant, Kollar, Moore-Dudley, Sheridan. Nays: None.)

- 14. 624 Martin Luther King, Jr. Drive** (parcel #0001281) Timothy L. and Gail R. Hatcher, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the property was initially inspected on April 11, 2014. The date of the hearing was August 29, 2014 and the Order was issued on September 17, 2014. The City did not

have to secure the property. There are children in the area where the property is located and there has been a history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was November 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations guardrails and handrails on the back porch are loose, damaged, or improperly maintained; steps are rotten or are in disrepair; porch flooring is rotten or in disrepair; exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls contain holes and/or breaks; exterior walls have loose or rotted material; foundation walls have holes or cracks; foundation wall ventilation not maintained or missing; roof drains, gutters and downspouts in disrepair; roof has leaks; electrical equipment needs to be properly installed and maintained; power not on at time of initial inspection; screens missing on windows; windows need glazing; heat—gas/electric not on at time of initial inspection; water not on at time of inspection.

There was no one present to speak on the property. Staff indicated that they have not heard from the owner regarding his or her inability to attend the meeting.

Ms. Sheridan said that it appeared the property might be in foreclosure. She noted that the house looked very old. Staff was unsure if it was listed on the National Register.

Ms. Moore-Dudley moved to uphold the Inspector, seconded by Mr. Kollar. The Commission voted 5-1 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: Sheridan.)

Chair Outling stated that the property involved in this matter is located at **624 Martin Luther King, Jr. Drive** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

15. **910 Highland Avenue** (parcel #0006019) Joan D. White, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(WITHDRAWN)**

#### **REQUESTS TO RESCIND:**

16. **1206 Hertford Street** (Parcel #0005709) White Rabbit Holdings, LLC, Owners. **Repaired by New Owner. (RESCINDED)**

Ms. Moore-Dudley moved to rescind 1206 Hertford Street, seconded by Mr. Sturdivant. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sheridan, Sturdivant. Nays: None.)

17. **1031 Pearson Street** (Parcel #0002884) James Speed, Owner. **Repaired by New Owner (RESCINDED)**

Ms. Moore-Dudley moved to rescind 1031 Pearson Street, seconded by Mr. Quinn. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sheridan, Sturdivant. Nays: None.)

\* \* \* \* \*

**ADJOURNMENT:**

There being no further business before the Group, the meeting adjourned at 3:28 p.m.

Respectfully submitted,

Justin Outling  
Chairman, City of Greensboro Minimum Housing Standards Commission

JO:sm/jd